

Message Text

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C O N F I D E N T I A L KABUL 1731

E. O. 1;652: GDS
TAGS: PEPR, AF, PK
SUBJECT: DAOUD-ZIA MEETING: EXTRADITION TREATY TO BE DISCUSSED?

REF: KABUL 1444

1. PAK CHARGE TANVIR KHAN TOLD DCM MARCH 2 THAT DURING THE UPCOMING ISLAMABAD TALKS, PAK SIDE WILL BE PREPARED TO DISCUSS AN EXTRADITION TREATY WITH THE AFGHANS. THE GOP HAS BEEN URGING SUCH A TREATY FOR YEARS, HE SAID, BUT HERETOFORE THE AFGHANS HAVE SHOWN NO INTEREST.

2. ACCORDING TO TANVIR KHAN, PRESIDENT DAOUD CONCEIVABLY MAY NOW BE INTERESTED IN SUCH A TREATY IN VIEW OF THE KHURRAM ASSASSINATION AND ALLEGED EVIDENCE THAT THE ASSASSIN GROUP HAD RECEIVED SOME TRAINING IN PAKISTAN. ACCORDING TO THE CHARGE, ONE OF THE NAMES MENTIONED IN THE GOA STATEMENT ON FEBRUARY 18 ABOUT THE ASSASSINATION (SEE REFTEL) WAS A PERSON LIVING IN ONE OF THE PAK TRIBAL AREAS. PRESUMABLY, THE AFGHANS WOULD BE INTERESTED IN GETTING HIM BACK TO KABUL FOR TRIAL.

3. AS FOR THE PAK'S INTEREST IN AN EXTRADITION TREATY, THE CHARGE SAID THAT THERE WERE THREE INDIVIDUALS IN KABUL OF INTEREST TO THEM. ONE WAS AJMAL KHATTAK. THE TWO OTHERS WERE THE ASSASSINS OF NWFP GOVERNOR SHERPAO, WHO WAS KILLED IN PESHAWAR TWO YEARS
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AGO. TANVIR SAID THAT THE PAKS WERE MORE INTERESTED IN EXTRADITING THE TWO KILLERS THAN AJMAL KHATTAK. THE GOA, HE SAID, WAS WELL AWARE THE TWO KILLERS WERE IN KABUL BUT HAD BEEN UNCO-OPERATIVE UP TO NOW IN RETURNING THEM TO PAKISTAN.

4. AS REGARDS THE MENTIONED GOA STATEMENT ABOUT THE KHURRAM ASSASSINATION (SEE REFTEL), TANVIR KHAN SAID THAT THE PAK SIDE

WAS "SURPRISED AND DISAPPOINTED" THAT, ON THE EVE OF THE DAOUD-ZIA MEETING, REFERENCE SHOULD HAVE BEEN MADE TO "ALIEN" INVOLVEMENT. THE THINLY DISGUISED ALLEGATION OF PAKISTANI INVOLVEMENT WAS HARDLY HELPFUL FOR THE TALKS, HE SAID, BUT THE GOP WAS PREPARED TO LOOK THE OTHER WAY IN THE SPIRIT OF IMPROVING BILATERAL RELATIONS.

5. COMMENT: NOTWITHSTANDING THE CHARGE'S HOPE THAT THE AFGHANS MIGHT BE DISPOSED TO ENTER INTO AN EXTRADITION TREATY, OUR OWN READING ON THIS IS THAT IT IS HIGHLY UNLIKELY IN VIEW OF THE FACT THAT EXTRADITION OF AFGHAN CITIZENS IS NOW EXPRESSLY FORBIDDEN UNDER ARTICLE 34 OF THE 1977 CONSTITUTION.
AMSTUTZ

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